

DAC/ JMW



DOCKET NO. JBP 586

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Miri Seiberg, et al.

Confirmation No.:

Serial No.: 10/092,810

Group No.: 1654

Filed: March 2, 2002

Examiner: M. Meller

For: METHOD FOR REGULATING PHAGOCYTOSIS AND ICAM-1  
EXPRESSION

Certificate of Mailing or Transmission [37 CFR 1.8(s)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petitions, Assistant Commissioner for Patents, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

June 14, 2005

(Date of Deposit)

Andrea L. Colby

Name of applicant, assignee, or Registered Representative

/Andrea L. Colby/

(Signature)

June 14, 2005

(Date of Signature)

Mail Stop Petitions  
Assistant Commissioner for Patents  
Alexandria, VA 22313-1450

PETITION FOR REVIVAL OF AN APPLICATION FOR  
PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Note: A grantable petition requires the following items:

1. Petition fee;
2. Reply and/or Issue fee;
3. Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
4. Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status.  
See 37 CFR 1.27.
- ☒ Other than small entity fee \$1,330.00(37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office Action in the form of RCE and Letter and Response to Final Rejection (identify type of reply):
- ☐ has been filed previously on
- ☒ is enclosed herewith.

06/16/2005 LUNDIN1 00000082 10092810  
01/EC:1801 290.00-DA  
02 FC:1453 1500.00 DA

- B. The issue fee of \$  
☐ has been paid previously on  
☐ is enclosed herewith.
3. Terminal disclaimer with disclaimer fee  
☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.  
☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity disclaiming the required period of time is enclosed herewith (See PTO/SB/63).

STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))]

- ☒ Charge the petition fee of \$1,330.00 to Account 10-0750/JBP586/ALC and for any additional fee required. A duplicate of this petition is attached.
- ☐ A check in the sum of \$ \_\_\_\_\_ is attached.
- ☒ Charge Account 10-0750/JBP586/ALC for any additional fee required.

/Andrea L. Colby/

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Date: June 14, 2005

Enclosures: ☒ Fee Payment  
☒ Reply  
☐ Terminal Disclaimer Form  
☐ Additional Sheets containing statements establishing unintentional delay  
☒ Other: copies of a Petition to Change Inventorship in parent application Serial No. 09/206,249, the accompanying Assignment and Supplemental Declaration